Prosecution Reopened

In view of the Amended Appeal Brief filed on 12/13/2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

Claim Status

Claims 1-30 are pending. Claims 1-30 are rejected as detailed below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2 and 4-8, 10-17, 19-23 and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,286,001 (Walker et al), hereafter Walker in view of US Pat No 6,851,060 (Shrader), hereafter Shrader.

Claims 1 and 16:

Walker discloses:

(a) receiving, at a server, a request from a subscriber to send a list of sources to the client machine [col 11, lines 25-30, Fig 1, initial pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150].

Examiner interprets the claimed "source" to be a URL which is a web site address. Therefore, the claimed "list of sources" is simply a list of web site URL addresses.

(b) downloading the list of sources (list of web site URL addresses) to the client machine [col 11, lines 25-30, initial pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150]

(c) using the downloaded list of sources (list of web site URL addresses) to detect a web site received at the client machine by comparing the URL address of the received web site with at least one URL address on the downloaded list of web site URL addresses [col 3, lines 38-42, the data processor in the user mode compares an address of a web site selected by the user with at least one of the addressees stored in the database]

Walker discloses the elements of the claimed invention as noted above but does not disclose a list of cookie file sources. Shrader discloses a list of cookie file sources [Fig 2, col 5, lines 35-45, column designated PATH 118 in CookieDataTable 110. Shrader discloses PATH is a URL in col 1, lines 20-25. Therefore, PATH 118 is a list of cookie file sources]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a list of cookie file sources as taught by Shrader for the purpose of reviewing the cookie files received at a client's machine for the purpose of controlling cookies planted/stored on a client's machine by a web site [Shrader: col 2, lines 60-63, the cookie display routine could allow the user to view, edit or delete cookie values]. Furthermore, Shrader discloses using the downloaded list of web site URL addresses to detect a cookie file received at

the user's machine by comparing the URL address of the received cookie file with at least one URL address on the downloaded list of web site URL addresses [col 2, lines 64-67, block all cookies from a particular site]

Claims 2 and 17:

The combination of Walker discloses the elements of claim 1 as noted above and furthermore discloses (d) creating a first exception list including the identity of cookie file sources that are permitted to store cookies in the client machine, (e) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine, and (f) modifying the downloaded list in accordance with the first and second exception lists[Walker, col 3, lines 1-15]

Note: Examiner maintains when the downloaded list is examined and the parent identifies, from the downloaded list, a list (sublist) of cookie file sources that are permitted to store cookie files in the client machine the remainder of the cookie file sources on the downloaded list is the list (sublist) of cookie file sources that are not permitted to store cookie files on the client machine.

Claims 4 and 19:

The combination of Walker and Shrader discloses the elements of claim 1 as noted above and furthermore, discloses displaying a message at the client machine indicating that a cookie file received from a cookie file source on the downloaded list has been detected [Shrader, Fig 7]

Claims 5, 10, 14, 20, 25 and 29:

The combination of Walker and Shrader discloses the elements of claim 1 as noted above and furthermore discloses removing the detected cookie files stored in the client machine [Shrader, Fig 7].

Claims 6, 11, 21, 26 and 30:

The combination of Walker and Shrader discloses preventing cookie files from being stored in the client machine [col 2, lines 64-67]

Claim 7:

The combination of Walker and Shrader discloses:

(a) creating a first exception list including the identity of cookie file sources that are permitted to store cookie files in the client machine, wherein a cookie file includes a cookie file source [Walker; the parent or supervisor then may modify the start-up database by adding new web pages or web sites. col 3, lines 1-20]

(b) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine [Walker; sites on the start-up database which are not approved by the parent for viewing by a child, i.e., deleted by the parent or supervisor, col 3, lines 1-20]

(c) receiving at the client machine, from a service provider, a master list of cookie file sources [Walker; col 3, lines 1-20, start-up database]

(d) modifying the master list in accordance with the first and second exception lists, wherein the composite list is the modified master list [Walker, col 3, lines 1-20, start-up database is modified by adding new web sites and deleting existing web sites]

Walker discloses above claim limitations including a pre-approved list of child-appropriate URL sources but does not disclose a list of cookie file sources.

Firstly, Shrader discloses a cookie file [Shrader; col 1, line 60 through col 2, line 10]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a cookie file as taught by Shrader because a cookie file can customize data sent by a server (i.e., website) to a particular user's web browser [Shrader; col 1, line 60 through col 2, line 10].

Secondly, Shrader discloses a list of cookie file sources [Shrader; list of cookie file sources is the column designated Path 118 in CookieData Table 110, Fig 2, col 5, lines 35-45]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a list of cookie file sources as taught by Shrader for the purpose of reviewing cookie data which is stored by a user's browser [Shrader; col 2, lines 50-65, Figs 4 and 5, col 5, line 65 through col 6, line 15]

Claim 8:

The combination of Walker and Shrader discloses the elements of the claimed invention as noted above and furthermore, discloses wherein the composite list is stored in the client machine independent of the first exception list, the second exception list and the received master list [Walker; sites on the start-up database which are not approved by the parent for viewing by a child, col 3, lines 1-20]

Claims 12 and 27:

The combination of Walker and Shrader discloses

(a) receiving at the client machine, from the service provider, a master list of cookie file sources [Walker; col 3, lines 1-20, start up database]

(b) deleting cookie file sources from the master list that correspond to one or more trusted cookie file sources listed in the client machine [Walker; col 3, lines 1-20, deleting websites from the start-up database to form a list of unauthorized web sites]

(c) adding cookie file sources to the master list that correspond to one or more untrusted cookie file sources listed in the client machine, wherein the composite list is the master list as modified by any additions and deletions of trusted and untrusted cookie file sources [Walker; col 3, lines 1-20, adding new websites]

Claims 13, 23 and 28:

The combination of Walker and Shrader discloses wherein the master list and the composite list are stored independently in the client machine [Walker col 3, lines 1-20]

Claim 15:

The combination of Walker and Shrader discloses

(d) preventing cookie files received at the cleinet machine from sources on the composite list from being stored in the client machine by comparing the cookie file sources of received cookie files to the cookie file sources on the composite list, and preventing storage of any received cookie files that have matching cookie file sources, wherein a cookie files includes a cookie file source [

Claim 22:

The combination of Walker discloses the elements of claim 1 as noted above and furthermore discloses (a) creating a first exception list including the identity of cookie file

sources that are permitted to store cookies in the client machine, (b) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine, (c) receiving at the client machine, from the service provider, a master list of cookie file sources and (f) modifying the downloaded list in accordance with the first and second exception lists[Walker, col 3, lines 1-15]

Firstly, Shrader discloses a cookie file [Shrader; col 1, line 60 through col 2, line 10]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a cookie file as taught by Shrader because a cookie file can customize data sent by a server (i.e., website) to a particular user's web browser [Shrader; col 1, line 60 through col 2, line 10].

Secondly, Shrader discloses a list of cookie file sources [Shrader; list of cookie file sources is the column designated Path 118 in CookieData Table 110, Fig 2, col 5, lines 35-45]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a list of cookie file sources as taught by Shrader for the purpose of reviewing cookie data which is stored by a user's browser [Shrader; col 2, lines 50-65, Figs 4 and 5, col 5, line 65 through col 6, line 15]

Claims 3, 9, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Walker and Shrader as applied to claims 1, 7, 16 and 22 and further in view of Julien Jay.

Claims 3, 9, 18 and 24:

The combination of Walker and Shrader disclose the elements of claimed invention as noted above but does not disclose (d) receiving updates of the downloaded list from the server on a periodic basis. Julien discloses receiving updates of the downloaded list from the server on a periodic basis [page 2, paragraph 1]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify above references to include receiving updates of the downloaded list from the server on a periodic basis as taught by Julien Jay for the purpose of maintaining the list current with changes to existing web sites and with the addition of new web sites.

Response to Arguments

Applicant's arguments filed 12/13/2007 have been fully considered but they are not persuasive.

Applicant Argues:

Appellant on pages 5-9 of the Appeal Brief argues limitations not present in the claim.

Examiner Responds:

Examiner is not persuaded. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant Argues:

Appellant states on page 10 of the Appeal Brief that none of the references applied against the independent claims disclose or suggest the following underlined limitations:

1. A method of screening cookie files in a client machine, wherein a cookie file includes a cookie file source, the method comprising:

(a) receiving, at a server, a request from a subscriber to send a list of cookie file sources to the client machine

(b) downloading the list of cookie file sources from the server to the client machine

(c) using the downloaded list of cookie file sources to detect cookie files received at the client machine from cookie file sources on the downloaded list by comparing the cookie file source of any received cookie file to the cookie file sources on the downloaded list sources

7. A method of creating a composite list of cookie file sources in a client machine, the method comprising:

(c) receiving at the client machine, from a service provider, a master list of cookie file sources;

12. A method of creating a composite list of cookie file sources in a client machine, the method comprising:

(a) receiving at the client machine, from a service provider, a master list of cookie file sources

16. An article of manufacture for screening cookie files in a client machine, wherein a cookie file includes a cookie file source, the article of manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:

(a) receiving, at a server, a request from a subscriber to send a list of cookie file sources to the client machine

(b) downloading the list of cookie file sources from the server to the client machine

(c) using the downloaded list of cookie file sources to detect cookie files received at the client machine from cookie file sources on the downloaded list by comparing the cookie file source of any received cookie file to the cookie file sources on the downloaded list sources

22. (c) receiving at the client machine, from a service provider, a master list of cookie file sources

27. (a) receiving at the client machine, from a service provider, a master list of cookie file sources

Examiner Responds:

Examiner is not persuaded. Claim 1 is considered below.

Claim 1:

Walker discloses:

(a) receiving, at a server, a request from a subscriber to send a list of sources to the client machine [col 11, lines 25-30, Fig 1, initial pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150].

Examiner interprets the claimed "source" to be a URL which is a web site address. Therefore, the claimed "list of sources" is simply a list of web site URL addresses.

(b) downloading the list of sources (list of web site URL addresses) to the client machine [col 11, lines 25-30, initial pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150]

(c) using the downloaded list of sources (list of web site URL addresses) to detect a web site received at the client machine by comparing the URL address of the received web site with at

least one URL address on the downloaded list of web site URL addresses [col 3, lines 38-42, the data processor in the user mode compares an address of a web site selected by the user with at least one of the addressees stored in the database]

Walker discloses the elements of the claimed invention as noted above but does not disclose a list of cookie file sources. Shrader discloses a list of cookie file sources [Fig 2, col 5, lines 35-45, column designated PATH 118 in CookieDataTable 110. Shrader discloses PATH is a URL in col 1, lines 20-25. Therefore, PATH 118 is a list of cookie file sources]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a list of cookie file sources as taught by Shrader for the purpose of reviewing the cookie files received at a client's machine for the purpose of controlling cookies planted/stored on a client's machine by a web site [Shrader: col 2, lines 60-63, the cookie display routine could allow the user to view, edit or delete cookie values]. Furthermore, Shrader discloses using the downloaded list of web site URL addresses to detect a cookie file received at the user's machine by comparing the URL address of the received cookie file with at least one URL address on the downloaded list of web site URL addresses [col 2, lines 64-67, block all cookies from a particular site]

Examiner notes that Shrader discloses a list of cookie file sources which is a list of URLs per PATH 118 in CookieDataTable 110 (Figure 2). Shrader discloses PATH is a URL in col 1, lines 20-25. The list of downloaded web site URL addresses disclosed by Walker is similar to the list of web site URL addresses disclosed by Shrader. The only difference between Walker

and Shrader is that Shrader discloses a web site that provides a cookie and Walker is silent regarding the supply of a cookie. However, Walker detects a web site received at the client machine and Shrader detects a web site received at the client machine by exactly the same process i.e., comparing the URL address of the received web site with at least one URL address with the downloaded list of URL addresses stored on the hard drive of the client machine.

Shrader reads on the claimed limitation "(c) using the downloaded list of cookie file sources to detect cookie files received at the client machine from cookie file sources on the downloaded list by comparing the cookie file source of any received cookie file to the cookie file sources on the downloaded list." Walker does not read on the above limitation because Walker is silent regarding a cookie file. Actually, the essence of the invention is not the detection of a cookie file but it is the detection of a the web site which provides a cookie file. The existence of the cookie file is not essential to the claimed invention because it is unclear what functionality the cookie file provides. The essential element(s) of the claimed invention is to detect a web site received at the client machine and then to decide whether the received web site is on the list of downloaded list of web sites. Per the above mapping of the claim limitations to the Walker reference it can be seen that Walker discloses the essential elements of the claimed invention.

For easy reference, the pertinent disclosures of Walker and Shrader are given below:

Walker discloses the following in col. 11, lines 25-35:

In an advantageous embodiment of the present invention, browser application 315 is installed with an initial pre-approved list of child-appropriate URLs in authorized URL list 510. Alternatively, the initial **pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150**. This enables a parent to avoid starting from scratch in

building a database of safe URLs for a child. The parent still has the option of deleting the initial pre-approved URLS, if so desired. Furthermore, browser application 315 periodically "pings" web site authorization server 150, which may respond by transferring to browser application 315 software correction updates, additional child-appropriate URLs, etc.

Shrader discloses the following in col. 5, lines 35-45:

A CookieData Table 110 stores entries related to cookies stored by the web browser on behalf of given web servers. Each entry contains a number of data columns, including the name 112 and value 114 of the cookie, the date that the cookie expires 116, and the path 118 and domain 120 for which the cookie is valid. Each entry also includes a secure flag 122, indicating if the cookie should be sent as part of a secure transaction, and a blocked flag 124, indicating if the cookie should be sent by the browser to the matching domain and path.

Shrader discloses the following in col 1, line 60 through col 2, line 10:

Another type of user data is a so-called "cookie." Because HTTP is a stateless protocol, **a cookie can be set by a server to customize data to a particular user's web browser**. Cookies thus provide a degree of "state" to HTTP. By default, a browser automatically stores cookie data without giving the user the option or knowledge of it being done. When a cookie is set as part of a HTTP transaction, it will include the **path the cookie is valid for**, the cookie's name and value, and other optional attributes, such as the expiration date for the cookie. In the prior art, a user can configure his or her web browser to show the cookie that the web server is attempting to set in a dialog box along with the options to set or cancel the cookie. After this initial display, the cookie value is unavailable for viewing or modification by the user. The browser may store cookie values in a text file, but this file can only be viewed outside of the browser and may only be updated when the browser is closed.

Shrader discloses the following in column 6, lines 1-15:

When the user clicks on the cookie icon 212, a Cookie List Dialog 220 is displayed as illustrated in FIG. 4. **The Dialog 220 presents a list of all the cookies** that were sent to the matching domain and path. The cookie attributes 222 are shown in a list with all the possible actions represented as buttons 225 at the bottom of the dialog. When the user selects the Modify button, for example, a Cookie Modify Dialog 230 is displayed as illustrated in FIG. 5. The Dialog 230 allows the user to modify a selected cookie. The cookie attributes 233 are shown with modification fields and check boxes with all the possible actions represented as buttons 235 at the bottom of the dialog. Of course, one of ordinary skill in the art will appreciate that selection

of the other buttons in the **Cookie List Dialog allow the user to control other cookie data using similar dialog screens**.

Shrader discloses the following in column 5, lines 17-23:

When the user selects the cookie icon, the browser displays a dialog box showing all the stored cookie values for the URL or path. A spreadsheet display in the **dialog box shows the attributes of each cookie and scroll bars may be used to let the user browse all the values**. Buttons at the bottom of the dialog box may allow the user to delete or modify an existing cookie value. If desired, the cookie display routine may allow additional cookie values to be set. In addition, the cookie display routine may allow the **user to view, edit, or delete all cookie values**, not just ones for the current URL.

Claim 7:

Examiner is not persuaded regarding claim 7. Claim 7 is considered below:

The combination of Walker and Shrader discloses:

(c) receiving at the client machine, from a service provider, a master list of cookie file sources [Walker; col 11, lines 25-30, in an advantageous embodiment of the present invention, browser application 315 is installed with an initial pre-approved list of child-appropriate URLs in authorized URL list 510. Alternatively, the initial list of child-appropriate URLs may be downloaded from web site authorization server 150 (Fig 1). This enables a parent to avoid starting from scratch in building a database of safe URLs for a child. The parent still has the option of deleting the initial pre-approved URLs if so desired.]. Furthermore, refer to claim 1 for consideration of a list of cookie file sources.

Claim 12:

Examiner is not persuaded regarding claim 12. Claim 12 is considered below:

The combination of Walker and Shrader discloses:

(a) receiving at the client machine, from a service provider, a master list of cookie file sources. [Walker; col 11, lines 25-30, in an advantageous embodiment of the present invention, browser application 315 is installed with an initial pre-approved list of child-appropriate URLs in authorized URL list 510. Alternatively, the initial list of child-appropriate URLs may be downloaded from web site authorization server 150 (Fig 1). This enables a parent to avoid starting from scratch in building a database of safe URLs for a child. The parent still has the option of deleting the initial pre-approved URLs if so desired.]. Furthermore, refer to claim 1 for consideration of a list of cookie file sources.

Claim 16:

Examiner is not persuaded regarding claim 16. Claim 16 is considered below:

Walker discloses:

(a) receiving, at a server, a request from a subscriber to send a list of sources to the client machine [col 11, lines 25-30, Fig 1, initial pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150].

Examiner interprets the claimed "source" to be a URL which is a web site address. Therefore, the claimed "list of sources" is simply a list of web site URL addresses.

(b) downloading the list of sources (list of web site URL addresses) to the client machine [col 11, lines 25-30, initial pre-approved list of child-appropriate URLs may be downloaded from web site authorization server 150]

(c) using the downloaded list of sources (list of web site URL addresses) to detect a web site received at the client machine by comparing the URL address of the received web site with at least one URL address on the downloaded list of web site URL addresses [col 3, lines 38-42, the data processor in the user mode compares an address of a web site selected by the user with at least one of the addressees stored in the database]

Walker discloses the elements of the claimed invention as noted above but does not disclose a list of cookie file sources. Shrader discloses a list of cookie file sources [Fig 2, col 5, lines 35-45, column designated PATH 118 in CookieDataTable 110. Shrader discloses PATH is a URL in col 1, lines 20-25. Therefore, PATH 118 is a list of cookie file sources]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a list of cookie file sources as taught by Shrader for the purpose of reviewing the cookie files received at a client's machine for the purpose of controlling cookies planted/stored on a client's machine by a web site [Shrader: col 2, lines 60-63, the cookie display routine could allow the user to view, edit or delete cookie values]. Furthermore, Shrader discloses using the downloaded list of web site URL addresses to detect a cookie file received at the user's machine by comparing the URL address of the received cookie file with at least one URL address on the downloaded list of web site URL addresses [col 2, lines 64-67, block all cookies from a particular site]

Claim 22:

Examiner is not persuaded regarding claim 22. Claim 22 is considered below:

The combination of Walker and Shrader discloses:

(c) receiving at the client machine, from a service provider, a master list of cookie file sources. [Walker; col 11, lines 25-30, in an advantageous embodiment of the present invention, browser application 315 is installed with an initial pre-approved list of child-appropriate URLs in authorized URL list 510. Alternatively, the initial list of child-appropriate URLs may be downloaded from web site authorization server 150 (Fig 1). This enables a parent to avoid starting from scratch in building a database of safe URLs for a child. The parent still has the option of deleting the initial pre-approved URLs if so desired.]. Furthermore, refer to claim 1 for consideration of a list of cookie file sources.

Claim 27:

Examiner is not persuaded regarding claim 27. Claim 27 is considered below:

The combination of Walker and Shrader discloses:

(a) receiving at the client machine, from a service provider, a master list of cookie file sources. [Walker; col 11, lines 25-30, in an advantageous embodiment of the present invention, browser application 315 is installed with an initial pre-approved list of child-appropriate URLs in authorized URL list 510. Alternatively, the initial list of child-appropriate URLs may be downloaded from web site authorization server 150 (Fig 1). This enables a parent to avoid starting from scratch in building a database of safe URLs for a child. The parent still has the option of deleting the initial pre-approved URLs if so desired.] Furthermore, refer to claim 1 for consideration of a list of cookie file sources.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ETIENNE P. LEROUX whose telephone number is (571)272-4022. The examiner can normally be reached on Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

2/25/2008

In view of the Amended Appeal Brief filed on 12/13/2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection as set forth as above. To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161